

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Shu et al.	Examiner: Alvin J. Stewart
Serial No.: 10/792,186	Group Art Unit: 3738
Filed: March 3, 2004	Docket: M190.148.101 / P0011480.00
Due Date: November 4, 2009	
Title: SUTURE LOCKING ASSEMBLY AND METHOD OF USE	

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 4, 2009, rejecting claims 1-31 and 54-58. Please note that Fees associated with filing of a Notice of Appeal were previously paid for this application. The fees due at this time for this Notice of Appeal under 37 C.F.R. §41.20(b) is **\$30.00**.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

☐ (a) Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees 37 C.F.R. 1.17(a)(1)-1.17(a)(5) for the total number of months checked below:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
one month	two months	three	four months	The extension fee has
(\$130.00)	(\$490.00)	months	(\$1,730.00)	already been filed in this
		(\$1,110.00)		application.

☒ (b) Applicant believes that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition and fee for Extension of Time.

Please charge Deposit Account No. 50-0471 in the amount of **\$30.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-0471 pursuant to 37 C.F.R. 1.25.

Notice of Appeal

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The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Notice should be directed to Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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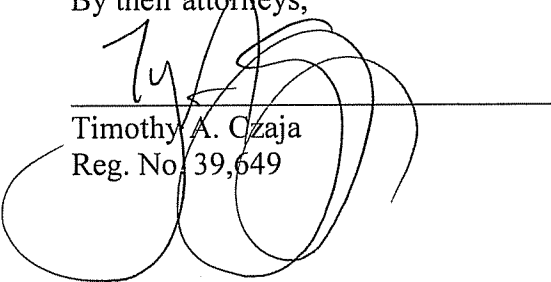
Respectfully submitted,

Mark Shu et al.,

By their attorneys,

Date: _____
TAC:jms

November 4, 2009



Timothy A. Czaja
Reg. No. 39,649